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The Supreme Court Defends Our Liberties

By IRVIN GOODMAN*

Konigsberg Case and Independence of the Bar

Defenses of civil liberties during the McCarthy era required almost in effective legal assistance, yet lawyers who defended civil liberties cases were themselves victims of attack. The consequence was refusal of many lawyers to participate in civil liberties cases.

During the McCarthy era witnessed the attempt to keep people from practicing law by being admitted to practice law. A person was Raphael Konigsberg of California. His case went to the United States Supreme Court which decided May 1957, he was qualified to be admitted to the practice of law. The California Supreme Court refused his admittance. This helped much in maintaining independence of the Bar.

Konigsberg graduated from the University of Southern California Law School in 1953 and passed the California Bar examination. The State Committee of Bar examiners refused to certify him to practice law alleging he failed to prove (1) he was of good moral character and (2) he did not advocate overthrow of the Government of the United States or California by unconstitutional means.

Konigsberg, born in Austria in 1911, came to the U. S. when he was 17 years old. From Ohio State University, he got a Master's degree. During the Second World War, he volunteered for the Army, was commissioned a Second Lieutenant, served in Germany, was promoted to Captain and, while in Germany, was an Orientation Officer for the entire Seventh Army.

Konigsberg, who had known Konigsberg during the last twenty years, attested to his excellent character. Included in his list of friends were a Catholic Priest, a Jewish Rabbi, lawyers, doctors, professors, business men, social workers. No evidence showed Konigsberg was ever convicted of crime or had ever done anything wrong or depraved. The State argued substantial doubts were about his character by: (1) testimony of an ex-Communist that Konigsberg attended meetings of a Communist Party unit in 1941; (2) his criticism of certain public officials and their actions; and (3) his refusal to answer certain questions about his political associations and beliefs.

Justice Black, who delivered the opinion of the court,

Even if it be assumed that Konigsberg was a member of the Communist Party in 1941, the mere fact of membership would not support an inference that he did not have good moral character.

We recognize the importance of leaving States free to select their own standards for admission to the Bar, but it is equally important the state not exercise this power in an arbitrary or discriminatory manner nor impinge on freedom of political expression or association. A bar composed of lawyers of good character is a worthy objective but it is unnecessary to sacrifice vital freedoms to obtain that goal. It is also important both to society and the individual that lawyers be unintimidated—free to think, speak and act as members of an Independent Bar. In this case, we are compelled to conclude there is no evidence in the record which justifies a finding that Konigsberg failed to establish his good moral character or that he did not advocate forceful overthrow of the Government. Without authentic, reliable evidence of unlawful or immoral actions, it is difficult to comprehend why the state Bar Committee rejected a man whose background and character as morally unfit to practice law. Past membership in the Communist Party, if true, without anything more, is not adequate basis for concluding he is disloyal or a person of bad character. A lifetime of good citizenship is worth little if it is not accompanied by an attorney. From address before Oregon MFSA Chapter, Nov. 24,

The Methodist Federation for Social Action, an unofficial member organization, founded in 1907, seeks to deepen within the church the sense of social obligation and opportunity to study, from a Christian point of view, social problems and their solutions and to promote social action in the spirit of Jesus. The Federation stands for the complete abolition of war. The Federation rejects the method of the struggle for profit as the economic base for society and seeks to replace it with social-economic planning to develop a society without class or group discriminations and privileges. In seeking these objectives, the Federation does not commit its members to any specific program, but remains an inspirational and educational agency, proposing social changes by democratic decisions, not by violence.

so frail it cannot withstand the suspicions which apparently were basis for the committee's action."

Smith Act Cases and Free Advocacy

On June 17, 1957, the court, in an opinion delivered by Justice Harlan, reversed the conviction in the California Smith Act case.

Five of the 14 defendants were acquitted outright, and the nine remaining defendants were remanded to the lower court with their cases to either be tried or dismissed. This has brought acquittals or retrials (under new and better circumstances) for other Smith Act defendants across the country. The separate opinion of Justice Black (and Douglas) stated:

"I would reverse everyone of these convictions and direct that all the defendants be acquitted. In my judgment the statutory provisions on which these prosecutions are based abridge freedom of speech, press and assembly in violation of the First Amendment of the United States constitution . . .

"Ordinarily Smith Act trials last many months due, in part, to routine introduction in evidence of massive pamphlets, collections of books, tracts, pamphlets, newspapers and manifestoes, discussing Communism, Socialism, Capitalism, Feudalism and governmental institutions in general, which, it is not too much to say, are turgid, diffuse, abstruse and just plain dull. Of course, no juror can plough his way through this jungle of verbiage. Testimony of witnesses is comparatively insignificant. Guilt or innocence may turn on what Marx or Engels or someone else wrote or advocated as much as a hundred or more years ago. Elaborate, refined distinctions are drawn between 'Communism,' 'Marxism,' 'Leninism,' 'Trotskyism,' 'Stalinism'. When the propriety of obnoxious or unorthodox views about the government is in reality made the crucial issue, as it must be in cases of this kind, prejudice makes convictions inevitable except in the rarest circumstances."

Witkovich Case and the Foreign Born

April 29, 1957, the court, in the opinion delivered by Mr. Frankfurter, decided the case of U. S. A. vs Witkovich. A final order of deportation had been outstanding against Witkovich for over six months. For refusing to answer questions put by the Immigration authorities, he was indicted in Illinois for violating the Immigration and Nationality Act of 1952. Some questions to answer were:

"(d) Q. Since the order of supervision was entered on March 4, 1954, Mr. Witkovich, have you ever visited the offices of the Bohemian publication 'Nova Doba' or the Slovakian publication 'Ludoby Noviny' 1510 West 18th Street, Chicago, Illinois? (e) Q. Do you know the editor of The 'Narodni Glasnik'? (f) Q. Do you know Leo Fisher? (g) Q. Do you know Anton Muerich? (h) Q. Do you know Nick Raklevich? (i) Q. Do you know Arsenio Bart? (j) Q. Do you know John Zuskar? (k) Q. Do you know Calvin Brook? (l) Q. Since the order of deportation was entered in your case on June 25, 1953, have you attended any meetings of the Communist Party of the U. S. A.? (m) Q. Since the order of supervision was entered on March 4, 1954, have you attended any meetings of any organization other than the Singing Club? (n) Q. Have you addressed any lodges of the Slovene National Benefit Society requesting their aid in your case, since the order of deportation was entered June 25, 1953? (o) Q. Have you distributed petitions or leaflets published by the Slovene National Benefit Society seeking aid for you, in your behalf, in your deportation case since the order of deportation was entered June 25, 1953? (p) Q. Since the order of supervision, have you attended any meetings or lectures at the People's Auditorium, 2457 West Chicago Avenue, Chicago, Illinois? (q) Q. Since the order of supervision was entered against you, have you attended any meetings or socials at the Chopin Cultural Center, 1547 North Leavitt Street, Chicago? (r) Q. Have you attended any movies since your order of supervision was entered, at the Cinema Annex, 3210 West Madison Street, Chicago?"

The Court ruled the questions asked Witkovich were not relevant to his availability for deportation and he did not have to answer them.

Watkins Case and House Un-American Activities Committee

June 17, 1957, the Court, in an opinion by Chief Justice Warren, decided the case of John T. Watkins. Watkins, before a sub-committee of the House Committee on Un-American Activities, answered questions about his labor union activities.

An earlier witness, Walter Rumsey, testified Watkins recruited him into the Party, and named a group of persons as once members of the Communist Party. The committee read the names to Watkins. Watkins stated he did not know several on the list and refused to tell the Committee whether those he did know had been Communist.

"I am not going to plead the Fifth Amendment, but I refuse to answer certain questions that I believe are outside the proper scope of your committee's activities."

"I do not believe such questions relevant to the work of this Committee nor that this Committee has the right to undertake public exposure of persons because of their past activities."

Watkins was tried for contempt and convicted in the lower court. The U. S. Supreme Court reversed the conviction. After tracing the history of governmental investigations and the exercise of contempt power in both England and the United States the court said:

"In the decade following World War II, there appeared a new kind of congressional inquiry unknown in prior periods of American history. Principally, this was the result of the various investigations into the threat of subversion of the United States Government, but other subjects of congressional interests also contributed to the changed scene. This new phase of legislative inquiry involved a broad scale intrusion into the lives and affairs of private citizens. It brought before the courts novel questions of the appropriate limits of congressional inquiry."

Chief Justice Warren then pointed out that during this period following World War II the Fifth Amendment privilege against self incrimination was frequently invoked and recognized as a legal limit upon the authority of a Committee to require that a witness answer its questions.

The Court also pointed out an investigation is subject to the command that the congress shall make no law abridging freedom of speech or press or assembly and that a witness therefore may invoke the First Amendment.

"Abuses of the investigative process may imperceptibly lead to abridgment of protected freedoms. The mere summoning of a witness and compelling him to testify, against his will, about his beliefs, expressions or associations is a measure of governmental interference. And when those forced revelations concern matters that are unorthodox, unpopular, or even hateful to the general public, the reaction in the life of the witness may be disastrous. This effect is even more harsh when it is past beliefs, expressions or associations that are disclosed and judged by current standards rather than those contemporary with the matters exposed. Nor does the witness alone suffer the consequences. Those who are identified by witnesses and thereby placed in the same glare of publicity are equally subject to public stigma, scorn and obloquy. Beyond that, there is the more subtle and immeasurable effect upon those who tend to adhere to the most orthodox and uncontroversial fields and associations in order to avoid a similar fate at some future time. That this impact is partly the result of non-governmental activity by private persons cannot relieve the investigators of their responsibility for initiating the reaction."

Watkins contended there was no public purpose in questioning him and that the sub-committee was engaged in a program of exposure for the sake of exposure. In this connection, the Court stated:

"We have no doubt that there is no congressional power to expose for the sake of exposure."

The Court made this further statement which is significant:

"Plainly these committees are restricted to the missions delegated to them, i.e., to acquire certain data to be used by the House or the Senate in coping with a problem that falls within its legislative sphere. No witness can be compelled to make disclosures on matters outside that area."

The Sub-committee before whom Watkins appeared, was supposed to have been investigating Communist infiltration in labor. Watkins was asked if he knew certain named persons had been members of the Communist Party in the past. Of the 30 persons named, seven were completely unconnected with organized labor. One operated a beauty parlor, another was a watchmaker.

Chief Justice Warren further ruled:

"The statement of the Committee Chairman in this case, in response to petitioner's protests was woefully inadequate to convey sufficient information as to the pertinency of the questions to the subject under inquiry. Petitioner was thus not accorded a fair opportunity to determine whether he was within his right in refusing to answer, and his conviction is necessarily invalid under the Due Process Clause of the Fifth Amendment."

As a result of these legal battles throughout the McCarthy

era, the Federal Courts rendered more than 200 decisions cases involving civil liberties issues.

In almost all these cases, lawyers who belonged to the National Lawyers Guild appeared as counsel.

The four recent U. S. Supreme Court decisions reviewed here concerned: the independence of the Bar, the Smith Act, the foreign born non-citizen, and the Committee on Un-American Activities.

These decisions concern everyone of us. They give us hope and confidence the McCarthy era is at an end. They reaffirm our traditional liberties. As put in the October, 1957, issue of "New York Guild Lawyer":

"Happily, the fight has not been in vain. While much remains to be done, the Supreme Court, under the wise guidance of Chief Justice Warren, has rendered a series of notable decisions. Further conviction under the Smith Act have been difficult; excesses by Congressional Committees and state authorities have been curbed; Bar Examiners can no longer exclude, without restraint, persons from the practice of law on the ground of political opinions. The rights of defendants to examine records of the F. B. I. in political cases have been strengthened in spite of recent congressional and presidential action. The victory is complete. 'Eternal vigilance is the price of liberty'."

ON THE HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES

Harry F. Ward writes: "I've just finished reading the new Un-American pamphlet on 'The Ideological Fallacies of Communism,' the report of staff consultations with Rabbi Fineberg, Bishop Sheen and Dan Poling. It is another entrance into a religious controversy which is no concern of the state. It is all the result of a new version of the technique they used on others beginning with '48—namely, substituting *ex parte* opinions and judgments for investigations and hearings. Recent utterances of Walter, Eastland and Edgar Hoover make clear there will be plenty more of this to follow. The line is that the C.P. is done for, now we must clean up on their more numerous and dangerous fellow travellers and frontiers. This adds to the reasons why the Committee must be abolished and why we should start at once doing our part to put our slogan into action in the campaign now under way. The issue goes far beyond the C.P. and The Methodist Church. The future of religion is at stake."

The Oregon Annual Methodist Conference petitioned "Congress to reform the methods of this Committee to conform with our commonly accepted Anglo-American principles of investigation, evidence and trial or to abolish the Committee as a threat to the free democratic way of life."

MFSA Membership Secretary Mark Chamberlin urges you to "Write your congressman immediately. Ask him to do his best to arrange public hearings by the House Committee on Administration on sums to be allotted for the House Committee on Un-American Activities. Urge him to work for abolition of the Committee. Seek his counsel and advice on the best way to end this continuing threat to American freedoms. Join others in your community to work for the end of this Committee. Purchase copies of the splendid pamphlet by Harvey O'Connor (For Abolition of the Inquisitorial Committees of Congress, 5c (Emergent Civil Liberties Committee, 421 7th Ave., New York City 1). Call your church and annual conference to take action (like that of the Oregon Annual Conference quoted above)."

On the "Un-American" Committee

"It would be difficult to imagine a less explicit authorization (than that establishing the House Un-American Activities Committee). Who can define the meaning of 'un-American'? What is that single, solitary 'principle of the form of government as guaranteed by our Constitution'? . . . The Government contends that the public interest at the core of the investigations of the Un-American Activities Committee is the need for the Congress to be informed of efforts to overthrow the Government by force and violence so that adequate legislative safeguards can be erected. From this core, however, the Committee radiates outward infinitely to any topic thought to be related in some way to armed insurrection. The outer reaches of the domain are known only by the content of 'un-American Activities'. Remoteness of subject can be aggravated by a probe to a depth of detail even farther removed from any basis of leg-

action. A third dimension is added when the investigators turn their attention to the past to collect minutiae on remote events, on the hypothesis that the past may reflect upon the present. . . . An excessively broad charter, like that of the Un-American Activities Committee, places the courts in an untenable position if they are to strike a balance between public need for a particular investigation and the right of citizens to carry on their affairs free from unnecessary governmental interference."—Chief Justice Warren in *Watkins v. U.S.*

OUR READERS WRITE

Dear Sir:
The November issue of the *Social Questions Bulletin* was incoming as usual. Dr. Ward's "Behind the Headlines" was particularly pertinent. One sentence hit the nail on the head: "To the Soviet Union total disarmament would be economic benefit. To the U. S. it would be an economic hazard." I wish Dr. Ward would spell this out in terms so clear that our church members would understand it. Why do you hear so little about these days? Half of the members of my church would be out of work tomorrow if we should have total disarmament. How is the church to speak in the face of this situation? Ask Dr. Ward to give chapter and verse of this "hazard."

JAMES K. MORSE, Ph.D.,
Fewsmith Memorial Presbyterian Church,
Belleville, New Jersey.

Dear Rev. Chamberlin:

Quite a few church leaders from various countries—Japan, India, Sweden, Hungary, Czechoslovakia, Australia, England—came to China in 1956 and 1957. I am particularly interested in the proposed visit of a delegation from the National Council of Churches of Christ in America. Will this group break through the State Department barrier against travel to China? Meantime too, invitations are coming to the Christian churches in China from their counterparts abroad and it is likely more Chinese church leaders will be traveling to various countries in 1958. It is heartening and vastly encouraging to know that bonds of fellowship between Christian bodies around the world are being strengthened.

TALITHAH GERLACH,
Shanghai, China.

Dear Jack McMichael:

I thought I would write a few lines to let you know how much good your *Bulletin* has been doing up here. I feel it is a fine little paper as ever edited. I have not as yet heard from Mary Phillips and the other Federationists have fared, but they have courage, and the power of righteousness on their side. The articles on Jean Schuddakopf and Uphaus were valuable and excellent. My feeling is that, if we are not all fricassed by the H-bomb, then sanity will show itself, and we will live in peace and brotherhood.

ROSE MORFORD,
Gig Harbor, Washington.

Dear Mr. Chamberlin:

Enclosed is my check to keep the *Social Questions Bulletin* going. I get more than thirty publications, but the *Bulletin* is very much more than proportionate attention.

CHARLES F. MacLENNAN, Exec. Sec'y., Ohio-Michigan Region, American Friends Service Committee.

Dear Brother Chamberlin:

I am still interested in MFSA. I have been attempting to get subscribers for *Social Questions Bulletin* and members for MFSA. In the future I expect to do more. I am enclosing my check for \$2.00. I may become a member and will get more to you in the future. I am planning some meetings, at which I shall do my best to "sell" MFSA. May we keep in touch, and may we accomplish much, through God, for the Kingdom of God.

REV. PHILLIP B. OLIVER, Pawtucket, Rhode Island.

Dear Brother Chamberlin:

Please renew my membership. I would hate to be dropped at any time. I'll do what I can to revive the socially dormant church at present on the staff of Goodwill Industries in Philadelphia. REV. ALBERT E. HARTMAN, Trenton, New Jersey.

BEHIND THE HEADLINES

In our Holiday Season's Greeting some of us wished each other a peaceful New Year. So far (nearly half the first month gone) the headlines have been announcing events which move in the opposite direction. Larger appropriations for bigger and more deadly weapons. The plan to stockpile missiles in Western Europe and Turkey. The Rockefeller Fund report calling for preparations for both limited and total nuclear war. The leaks from the "top secret" Gaither Committee report indicating some members suggested that to prevent a nuclear Pearl Harbor it may be necessary to strike first. Democratic Senate leader Johnson telling his party caucus that our goal, and the goal of all free men must be to win and hold control of outer space because "whoever gains that ultimate position gains control, total control, of the earth." Dulles, who doesn't want to negotiate, winning out over Stassen who does. Rejection of all Soviet offers as propaganda, with the usual demand for demonstration of good faith. More and better education, not to strengthen the nation by developing all the capacities of every child, but to produce more scientists, to create bigger and better weapons, to kill more people and cripple more of the unborn. The year end economic analysis showing most sections of the national economy going down hill.

All this adds up to travelling further along the road that leads only to annihilation. Each step shortens the distance, and increases the speed of approach, to the precipice to whose brink Dulles counts it successful diplomacy to have led us several times. Ever since the dual possession of the hydrogen bomb it has been apparent that if anyone of the catastrophes it threatens depends on us alone there is no hope of escape. Now that the threat of missile weapons is added and we, accepting the impossible thesis of limited war, start to scatter them abroad, and suggestions for preventive attack appear in reputable journals with no expression of moral indignation, our correspondents in Europe report an increasing fear that our policies are becoming a menace to them as well as to ourselves. To our impotence to avoid the war of annihilation we are now adding a push toward it.

The President's reply to Premier Bulganin, mostly written by Dulles, and his State of the Union address in which Dulles' hand is clearly visible, attempt to put the blame for this situation upon the Soviet Union. This is a distortion of the historic record. The initial cause for our loss of moral power lies in the purpose of the cold war which Churchill and Truman started as instruments of the reaction of the capitalist world to the demonstration of the amount and quality of Soviet war production which showed that a socialist economy would work.

As is well known the cold war is the capitalist world's alternative to peaceful coexistence, beneficial competition and mutual aid between two differing economies. But the purpose of the cold war is more than the rejection of peaceful coexistence. It is the refusal to recognize the fact of coexistence, and the attempt to end it by measures short of actual war. Consequently it proceeds from the Kennan-Acheson-Truman attempt at containment to the Dulles-Eisenhower goal of liberation-suggested again in the current reply to Bulganin. It moves from a demand to surrender essential points of diplomacy to the "deterrent" of massive retaliation—The President in his recent message assured Congress our Army and Navy "present to any potential attacker who would unleash war upon the world the prospect of virtual annihilation of his own country." Not a suggestion of what

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would certainly happen to us while this was being done. Then from massive retaliation the cold war is driven by the practical logic of its purpose to irrational plans for limited war and criminal suggestions of preventive attack.

The basic fact of our times is that a new economic order is coming into being. It is being shaped in different ways by the united will of the many millions in a number of lands. It can no more be stopped from expanding than tomorrow's sun can be kept from rising, because it is decreed by the collective nature of modern industry, the need to extend the democratic process from political to economic activities, and the desire to put the Golden Rule into action in the whole life of man the world around. Neither the failures or sins of its creators, nor the attacks of its enemies can put it out of existence.

Therefore in its initial purpose of refusing to recognize, and trying to wipe out, this basic fact of a new economic order, the cold war cut itself off from objective reality in a far deeper degree and with much farther reaching consequences than when it later lost the monopoly of the atom bomb. It is this severance from reality that produces the confusion and moral contradictions in the Dulles-Eisenhower pronouncements. For instance the invitation to the Soviet Union to join in a health campaign against preventable disease immediately after launching the plan to stockpile the weapons which will spread disease abroad; telling Premier Bulganin Soviet proposals for agreements against use of aggressive weapons were unnecessary because that was taken care of in the U.N. charter, and then making proposal for an agreement not to use outer space for aggressive weapons, etc., etc. Or the President asserting it is impossible for this nation to initiate aggressive war because our constitution requires approval of Congress and this takes time and public debate. But one of the scientists on the Gaither committee points out that modern weapons require on the spot decisions.

Since it is the purpose of the cold war and its lack of relationship to objective reality which is making our foreign policy a menace to the future of mankind, it follows that we cannot make our deeds square with our moral pretensions until we abandon that purpose. Because of the vested interest of both parties in the cold war, and the heavy economic pressure in favor of it, there is no prospect that this will be done in the near future. It will have to be brought about indirectly through such decisions as sitting down to negotiate with the Soviet Union as an equal, as consenting to the admission of the real government of China into the U.N.

If organized religion desires to see its objectives concerning nuclear weapons come alive, these are the points on which they need to get their constituents to express themselves. To this they need to add a constant educational campaign concerning the need for, and the possibility of, peaceful coexistence. This would cut a lot of ground out from under the official propaganda in behalf of the cold war alternative.

The report of the U. S. Office of Education on Soviet Education is a small but revealing illustration of how the cold war has been, and is, depriving the people of knowledge which they need to make correct decisions on the great issues now before them. This report was issued around the time the U. S. Information Agency was being told about the first satellite: "Play your news in such a way that the public will not interpret this development as an indication of Soviet superiority in science."

The report was supposed to give us the results of a year's survey by Eleanor Bowman, expert on comparative education. When the official version appeared, Mrs. Bowman complained that it contained a number of distortions and inaccuracies.

She said that the report implied, and the press certainly widely repeated, that Soviet education emphasized science and mathematics to the neglect of the liberal arts. She declared that actually Russian students are given as good a foundation in history and literature as in science and mathematics. William Edgerton, Associate Prof. of Slavic language at Columbia University, in a letter to the N. Y. Times, backed her up. Quoting from a '55 entrance examination for every high school graduate wishing to enter a Soviet university, he wrote that among the subjects on which they had to expect to be examined were Shakespeare's Hamlet and Goethe's Faust.

Mrs. Bowman further protested that the report underes-

timated the students in higher institutions of learning by a million. Also that it omitted the important fact that Soviet education is free from the first grade through post-graduate training and that able students are paid to go to college.

An Office of Education spokesman replied that there was "no suppression or withholding of significant, accurate and objective information." But I. F. Stone's weekly points out that the Secretary's preview to the Chicago Conference of Energy and Scientific Education had said: "All but the weakest students are paid to go to school" and the original draft had said 10 per cent. Stone adds that the secretary summarized another paragraph which was omitted from the final report. His statement was: "Soviet scientists, scholars and teachers are paid more and have a higher social position than ours." The original draft said: "Consistent with the official esteem in which science and technology are held in the Soviet Union, the scholar and scientist enjoy higher salaries and a number of privileges which enable them to maintain a living standard—relative to that of most of the population—higher than is found in any Western country."

Reston, head of the N. Y. Times Washington bureau, twice Pulitzer prize winner, has several times recently remarked how many government leaders are saying one thing in public and another thing in private.

This illustration of how our citizens are being deprived of knowledge essential to finding the way out of the dilemma between the war of annihilation and peaceful coexistence can be multiplied many times. There is a tendency in all governments to tell the people only what those in power want the people to know. To overcome this tendency, democracy relies upon political opposition and a free press. Here both of these forces have been severely weakened by the cold war's requirement of propaganda which paints the potential enemy entirely black and ourselves completely white. On foreign policy and democratic rights there is no organized opposition in Congress.

Back in '53, the Associated Press Managing Editors Association protested to the President that his executive order authorizing certain officials to classify information as top secret confidential to the degree they believed its disclosure would hurt national security was being involved to withhold information to which the public was entitled. Only recently has this procedure been slightly checked, and then on the difference of ground that it was beginning to injure national security. Our press is still unable to get to China to tell us what actually goes on there.

Insofar as the press has supported the cold war it has helped itself been drawn into the withholding of things the public needs to know. How many papers across the land told their readers about the Nova Scotia international conference of scientists on war and peace; of the Soviet scientists' appeal to their colleagues throughout the world after they got home; of the international conference of jurists and lawyers in Japan; of the refusal of West German scientists to work on the bombs; of 2000 U. S. scientists signing an appeal to the President to end nuclear weapon tests?

Long ago Hosea wrote: "My people are destroyed for lack of knowledge." Never and nowhere was that more true than here today. Without the necessary knowledge, good will and the desire for peace are unable to make themselves effective. They stand impotent before those whose policy and program as the father of the hydrogen bomb" recently told a Congressional Committee, prepares to annihilate a hundred million of our people in order to annihilate two hundred million of the enemy. To say nothing of the unborn.

John's gospel adds the complementary truth to that of Hosea: "Ye shall know the truth and the truth shall make you free." The scientific truth of objective reality as well as the religious truth of spiritual vision and moral insight. They are inseparable. Joined in action, as ever in history, they give power to find the way of escape from the overwhelming terror that threatens us and start building the highway into a new world. Where does the responsibility for getting this emancipating force into action lie more heavily than upon the religious press? Clearly the first step is to give more space to the facts needed for correct moral judgment. Then should come a united demand that the government refrain from withholding any such religious truth of spiritual vision and moral insight. They are facts.

H.F.W.